AP
25**FEE TRANSMITTAL FOR FY 2006**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known:

Application No. 09/733,844
Filing Date December 8, 2000
First Named Inventor Tanner, et al.
Examiner Name Stefanos Karmis
Art Unit 3624
Attorney Docket No. 080398.P405

 Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply)☒ X Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) Deposit AccountDeposit Account Number : 02-2666Deposit Account Name: ☒ X The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ X Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ X Credit any overpayments.☒ X Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Fee Code	Fee (\$)	Fee Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee		
1111	500	2111	250	Utility search fee	1,000/500	
1311	200	2311	100	Utility examination fee		
1012	200	2012	100	Design application filing fee		
1112	100	2112	50	Design search fee	430/215	
1312	130	2312	65	Design examination fee		
1013	200	2013	100	Plant filing fee		
1113	300	2113	150	Plant search fee	660/330	
1313	160	2313	80	Plant examination fee		
1004	300	2004	150	Reissue filing fee		
1114	500	2114	250	Reissue search fee	1,400/700	
1314	600	2314	300	Reissue examination fee		
1005	200	2005	100	Provisional application filing fee		
SUBTOTAL (1)						\$ 0.00

2. EXCESS CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims _____ - 20 or HP = _____ HP = highest number of total claims paid for, if greater than 20		X <u>\$50.00</u>	= <u>\$0.00</u>
Independent Claims _____ - 3 or HP = _____ HP = highest number of independent claims paid for, if greater than 3		X <u>\$200.00</u>	= <u>\$0.00</u>
Multiple Dependent Claims		_____	= _____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X <u>\$250.00</u>	_____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets</u> (count spec & drawings except sequences & program listings):
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

				Fees Paid (\$)	
Non-English Specification, \$130 fee (no small entity discount)					
<u>Large Entity</u>		<u>Small Entity</u>			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	\$500.00
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
				SUBTOTAL (4)	\$ 500.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Sheryl Sue Holloway

Signature: _____

Date: Nov. 20, 2006Reg. Number: 37,850Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**TRANSMITTAL****PATENT**

Application No.: 09/733,844
Filing Date: December 8, 2000
First Named Inventor: Tanner, et al.
Examiner's Name: Stefanos Karmis
Art Unit: 3624
Attorney Docket No.: 080398.P405

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☒ Other: Appeal Brief
- ☐ Other:
- ☒ Check(s)
- ☒ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Sheryl Sue Holloway

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on

11-20-06

Date of Deposit

Carla Anysia Nascimento

Name of Person Mailing Correspondence

Signature

Date 11-20-06

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(10/14/03)



Atty Docket No. 80398.P405

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:)	Examiner: Karmis, Stefanos
)	
Robert G. Tanner)	Art Unit: 3624
)	
Application No. 09/733,844)	Confirmation No.: 2035
)	
Filed: December 8, 2000)	
)	
For: VIRTUAL EXPERIENCE OF A)	
MOBILE DEVICE)	
)	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

This is an appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner of Group 3624, dated June 19, 2006. This Appeal Brief is hereby submitted pursuant to 37 C.F.R. § 41.37(a).

I. REAL PARTY IN INTEREST

The real party in interest are the assignees of the full interest in the invention, Sony Electronics Inc. of Park Ridge, N.J. and Sony Corporation of Tokyo Japan.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision in the instant appeal.

11/22/2006 SSESHE1 00000034 09733844

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500.00 DP

III. STATUS OF THE CLAIMS

Claims 1-38 were rejected in a final Office Action mailed June 19, 2006. Claims 1-38 are the subject of this appeal. A copy of Claims 1-38 as they stand on appeal are set forth in the Claims Appendix.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been made after receipt of the Final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claims 1-38 claim a virtual tutorial system that displays a virtual electronic device, which emulates operations of a corresponding physical electronic device to instruct a user how to use the physical electronic device [Specification: page 58, lines 7-12].

Independent Claims 1, 9, and 17 claim showing of a first virtual electronic device on a display to emulate operation of one or more features of a first electronic device [Specification: page 60, lines 17-22, block 2405 in Figure 24; page 58, line 29 through page 59, line 7, blocks 2115 and 2130 of Figure 21]. Claims 1 and 9 also claim navigating through the first virtual electronic device on the display to instruct a user how to use a feature of the first electronic device [Specification: page 60, lines 17-22, block 2410 of Figure 24]. Claim 17 also claims a processor and a display [Specification: page 58, line 29, blocks 2105 and 2110 of Figure 21]. Independent claim 38 claims the elements of Claims 1 and 9 under 35 U.S.C. § 112, sixth paragraph. The claimed means for presenting corresponds to a processor [Specification: page 58, line 29, block 2105 of Figure 21] and the claimed means for navigation corresponds to an input device, which in one embodiment is a touch sensitive display [Specification: page 26, lines 25-27, block 930 of Figure 9A].

Dependent Claims 4, 12 and 30 depend from independent Claims 1, 9 and 17, respectively, and claim showing a device map listing features of the first electronic device [Specification: page 61, lines 7-11, block 2515 of Figure 25; page 60, lines 10-12, block 2315 of Figure 23].

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

I. Claims 1-38 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,829,779 to Perlman in view of U.S. Patent 6,629,197 to Bhogal et. al.

VII. ARGUMENTS

I. The invention claimed in Claims 1-38 is Patentable under 35 U.S.C. § 103 over the combination of Perlman and Bhogal.

Perlman discloses displaying text and/or graphical instructions to instruct a user how to connect two electronics devices. In one embodiment, one of the electronics devices is an Internet terminal. Perlman's Figures 11-18 illustrate various embodiments of a device interface on the Internet terminal.

Bhogal discloses an emulation unit that stores "softcopies" of audio content (e.g., MP3 files), and is connected between a base unit, such as a car stereo, and a CD-ROM changer. The emulation unit intercepts an audio request command for the CD changer from the base unit, and returns a softcopy of the audio to the base unit if the softcopy is stored in the emulation unit. Bhogal also discloses that the emulation unit contains a user interface unit that has physical controls, such as "play," "fast forward," etc., and optionally has a standard CD slot.

A. Claims 1-3, 5-11, 13-29 and 31-37

Claims 1-3, 5-11, 13-29 and 31-37 stand or fall together. Claim 1 is the representative claim.

The Examiner is equating Bhogal's emulation unit with Appellant's claimed first virtual electronic device that is shown on a display to emulate operation of one or more features of a first electronic device. However, Bhogal does not disclose that the user interface unit, the emulation unit as a whole, or the base station contains a display. Moreover, there is no disclosure in Bhogal that teach or suggests that the emulation unit itself can be shown on a display as a virtual electronic device, or that the emulation unit even causes a virtual electronic device to be shown on a display. Thus, Bhogal does not disclose Appellant's claimed first virtual electronic device. Because the Examiner stated

that Perlman fails to disclose Appellant's claimed first virtual electronic device, the combination of Perlman and Bhogal cannot be properly interpreted as teaching or suggesting Appellant's invention as claimed in Claim 1.

Furthermore, the Examiner's stated that the combination of Perlman and Bhogal is motivated because both references "provide graphical representation of electronic devices" [Final Office Action: page 3, lines 18-21]. However, because Bhogal does not teach or even suggest providing a graphical representation of an electronic device, the Examiner's rationale for the combination is unsupported by the references. Thus, the combination of Perlman and Bhogal is improperly motivated.

Accordingly, the combination of Perlman and Bhogal does not render obvious Applicant's invention as claimed in Claims 1-3, 5-11, 13-29 and 31-37.

B. Claims 4, 12 and 30

Claims 4, 12 and 30 stand or fall together. Claim 4 is the representative claim and depends from claim 1.

The Examiner is equating the device interface diagrams of Figures 11-18 with Appellant's claimed element of showing a device map that lists features of the first electronic device. However, Perlman describes Figures 11-18 as illustrating physical connectors that may be included with the Internet terminal to allow it to be connected to many different types of electronic devices [Perlman: col. 10, lines 1-5]. Perlman does not teach or even suggest that the diagrams of Figures 11-18 can be shown as graphical representations on Perlman's user interface.

Bhogal also fails to disclose Appellant's claimed element of showing a device map. Thus, the combination of Perlman and Bhogal cannot be properly interpreted as teaching or suggesting Appellant's invention as claimed in Claim 1.

Moreover, the combination of Perlman and Bhogal is improper as set forth above.

Accordingly, the combination of Perlman and Bhogal does not render obvious Appellant's invention as claimed in Claims 4, 12 and 30.

VIII. CONCLUSION

As set forth above, the combination of Perlman and Bhogal is improper and does not disclose each and every limitation of Appellant's invention as claimed in Claim 1-38. Therefore, Appellant respectfully requests the Board reverse the rejections of Claims 1-38 under 35 U.S.C. § 103(a), and direct the Examiner to enter a Notice of Allowance for Claims 1-38.

Fee for Filing a Brief in Support of Appeal

Enclosed is a check in the amount of \$500.00 to cover the fee for filing a brief in support of an appeal as required under 37 C.F.R. §§ 1.17(c) and 41.37(a).

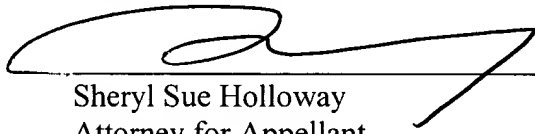
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

Dated: November 20, 2006



Sheryl Sue Holloway
Attorney for Appellant
Registration No. 37,850

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**CLAIMS APPENDIX FOR
APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

1. (Previously Presented) A computerized method comprising:
showing a first virtual electronic device on a display to emulate operation of one or more features of a first electronic device; and
navigating through the first virtual electronic device on the display to instruct a user how to use a feature of the first electronic device.
2. (Original) The method of claim 1 further comprising showing a second virtual electronic device to emulate an exchange of information between the first electronic device and a second electronic device.
3. (Original) The method of claim 1 further comprising showing a virtual eCommerce system to emulate an exchange of information between the first electronic device and an eCommerce system.
4. (Original) The method of claim 1 further comprising showing a device map listing features of the first electronic device.
5. (Original) The method of claim 1 further comprising showing a magnified view of the first virtual electronic device to provide a detailed illustration of a feature of the first electronic device.
6. (Original) The method of claim 1 further comprising showing an interactive simulation to instruct a user how to use a feature of the first electronic device.
7. (Original) The method of claim 1 further comprising showing an animated sequence to instruct a user how to use a feature of the first electronic device.

8. (Original) The method of claim 1 further comprising showing a video to instruct a user how to use a feature of the first electronic device.

9. (Previously Presented) A computer-readable medium comprising instructions which, when executed by a processor, perform a method for instructing a user how to operate a first electronic device comprising:

showing a first virtual electronic device on a display to emulate operation of one or more features of the first electronic device; and

navigating through the first virtual electronic device to instruct a user how to use a feature of the first electronic device.

10. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing a second virtual electronic device to emulate an exchange of information between the first electronic device and a second electronic device.

11. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing a virtual eCommerce system to emulate an exchange of information between the first electronic device and an eCommerce system.

12. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing a device map listing features of the first electronic device.

13. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing a magnified view of the first virtual electronic device to provide a detailed illustration of a feature of the first electronic device.

14. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing an interactive simulation to instruct a user how to use a feature of the first electronic device.
15. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing an animated sequence to instruct a user how to use a feature of the first electronic device.
16. (Original) The computer-readable medium of claim 9 wherein the instructions cause the processor to perform a method further comprising showing a video to instruct a user how to use a feature of the first electronic device.
17. (Previously Presented) A system comprising:
a processor;
a display to communicate with the processor; and
a first virtual electronic device shown on the display by the processor to emulate operation of one or more features of a first electronic device.
18. (Original) The system of claim 17 wherein the first virtual electronic device is a virtual handheld device.
19. (Original) The system of claim 18 wherein the virtual handheld device is a virtual digital wallet.
20. (Original) The system of claim 17 wherein the first virtual electronic device comprises:
a virtual display; and
a virtual peripheral port.
21. (Original) The system of claim 20 wherein the first virtual electronic device further comprises a virtual biometric access device.

22. (Original) The system of claim 20 wherein the first virtual electronic device further comprises a virtual memory.
23. (Original) The system of claim 20 wherein the first virtual electronic device further comprises virtual input devices.
24. (Original) The system of claim 17 further comprising a second virtual electronic device shown on the display by the processor to emulate operation of a second electronic device.
25. (Original) The system of claim 24 wherein the first virtual electronic device and the second virtual electronic device are shown simultaneously on the display to emulate an exchange of information between the first electronic device and the second electronic device.
26. (Original) The system of claim 17 further comprising a virtual electronic system shown on the display to emulate the operation of an electronic system.
27. (Original) The system of claim 26 wherein the virtual electronic system is a virtual eCommerce system.
28. (Original) The system of claim 26 wherein the first virtual electronic device and the virtual electronic system are shown simultaneously on the display to emulate an exchange of information between the first electronic device and the electronic system.
29. (Original) The system of claim 17 further comprising a graphical user interface.
30. (Original) The system of claim 17 further comprising a device map corresponding to features of the first electronic device.

31. (Original) The system of claim 17 further comprising a magnified view of the first virtual electronic device shown on the display to provide a detailed illustration of a feature of the first electronic device.

32. (Original) The system of claim 17 further comprising an interactive simulation shown on the display to instruct a user how to perform a function of the first electronic device.

33. (Original) The system of claim 17 further comprising an animated sequence shown on the display to instruct a user how to perform a function of the first electronic device.

34. (Original) The system of claim 17 further comprising a video shown on the display to instruct a user how to perform a function of the first electronic device.

35. (Original) The system of claim 17 further comprising the first electronic device.

36. (Original) The system of claim 35 wherein the first electronic device is adapted to communicate with the processor.

37. (Original) The system of claim 36 wherein the processor determines features that can be performed by the first electronic device.

38. (Previously Presented) A computerized tutorial comprising:
means for presenting a virtual electronic device on a display to emulate operation of one or more features of an electronic device; and
means for navigating through the first virtual electronic device to instruct a user how to use a feature of the first electronic device.

**EVIDENCE APPENDIX FOR
APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

NONE

**RELATED PROCEEDINGS APPENDIX FOR
APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

NONE